CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

ORIGINAL APPLICATION NO.: 389 of 1999

Dated this Tuesday, the 20th day of February, 2001.

CORAM : Hon'ble Shri Justice Ashok Agarwal, Chairman.

Hon'ble Shri B. N. Bahadur, Member (A).

1. Smt. Yamunabai Kundalik Adhav,
Widow of Late Shri Kundalik
Shivram Adhav.

2. Shri Namdeo Karbhari Adhav,
Nephew of Late Shri Kundalik
Shivram Adhav.

Both Applicants residing at
Adhav Mala,
Subaji Patil Adhav Nagar,
Near Godawari No. 2, Dasak,
Nasik - 422 101. ... Applicants.

(By Advocate Shri D. V. Gangal)

VERSUS

1. Union of India through
The Secretary,
Ministry of Finance,
New Delhi.

2. The General Manager,
India Security Press,
Nasik Road,
Nasik - 422 101.

3. The General Secretary,
India Security Press,
Mazdoor Sang,
Nasik Road - 422 101. ... Respondents.

(By Advocate Shri V. S. Masurkar)

O R D E R (ORAL)

PER : Shri Justice Ashok Agarwal, Chairman.

By the present O.A., Applicant No. 2 seeks compassionate appointment. He is the Nephew (Brother's son) of the deceased

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employee who died in harness on 04.05.1993. He, in the circumstances, on 27.09.1993 applied for compassionate appointment. However, no reply has been received by the Applicants against the aforesaid application. The present O.A. is filed on 22.04.1999.

2. Present O.A., we find, is hopelessly barred by limitation. In the Miscellaneous Application for condonation of delay, it is inter-alia contended that in respect of similar applications made by candidates similarly placed, orders of compassionate appointment were belatedly passed in their favour. A prayer is accordingly made for condonation of delay. In our view, the aforesaid grant can be no ground for making prayer for condonation of delay. There is no limitation laid down for the department to grant reliefs. However, the Administrative Tribunals Act provides for a period of limitation for filing applications for seeking reliefs under the Act. Merely because reliefs have been belatedly granted in certain other cases, this can be no justification for the Applicant not to approach the Tribunal within the time stipulated. It cannot be overlooked that the death of the relative of the Applicant No. 2 was way back on 04.05.1993 and we are already in the year 2001. No case for grant of compassionate appointment can be said to have been made out at this belated stage.

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3. In the circumstances, the Miscellaneous Application for condonation of delay is rejected. Similarly, the present O.A. is also dismissed. No order as to costs.

(B. N. BAHADUR)
MEMBER (A).

(ASHOK AGARWAL)
CHAIRMAN.

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